

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

**ERIC LEE FORD
ADC#141211**

PLAINTIFF

V.

CASE NO.: 5:12CV00268 BSM/BD

CURTIS MEINZER, *et al.*

DEFENDANTS

RECOMMENDED DISPOSITION

I. Procedure for Filing Objections

This Recommended Disposition (“Recommendation”) has been sent to United States District Chief Judge Brian S. Miller. Any party may file written objections to this Recommendation.

Objections must be specific and must include the factual or legal basis for the objection. An objection to a factual finding must identify the finding of fact believed to be wrong and describe the evidence that supports that belief.

An original and one copy of your objections must be received in the office of the United States District Court Clerk within fourteen (14) days of this Recommendation. A copy will be furnished to the opposing party.

If no objections are filed, Judge Miller can adopt this Recommendation without independently reviewing all of the evidence in the record. By not objecting, you may also waive any right to appeal questions of fact.

Mail objections and “Statements of Necessity” to:

Clerk, United States District Court
Eastern District of Arkansas
600 West Capitol Avenue, Suite A149
Little Rock, AR 72201-3325

II. Discussion

Andy Reid, an inmate in the Varner Supermax unit (“VSM”) of the Arkansas Department of Correction, began this lawsuit challenging his participation in the VSM incentive program. *Reid v. Meinzer, et al.*, Case No. 5:12CV230 KGB/BD (E.D.Ark. June 27, 2012). Mr. Reid amended his complaint to add several additional inmate plaintiffs, including Plaintiff Eric Lee Ford. When it became apparent that the plaintiffs had various, incongruent claims, the Court severed the lawsuit. Mr. Ford is now proceeding in this separate action.

Neither the complaint nor the amended complaint mentions Mr. Ford. (Docket entries #2 and #4) There is no indication that Mr. Ford suffered any of the violations alleged in the complaints. Mr. Ford filed grievance forms and declarations, but it appears that he has not exhausted any issue presented in the complaints. (#10) Instead, his allegations focus on Officer Williams, who is not a named Defendant. (#10, p. 2-4)

By Order of September 13, 2012, this Court ordered Mr. Ford to file an amended complaint within thirty days. (#11) The thirty-day time period for filing an amended complaint has passed, and Mr. Ford has not complied with the September 13, 2012 Order.

Mr. Ford was warned that failure to comply with the Court's Order could result in dismissal of his case. (#11)

III. Conclusion

Because Mr. Ford has not complied with the Court's Order, his complaint should be dismissed, without prejudice, under Local Rule 5.5(c)(2).

DATED this 17th day of October, 2012.


UNITED STATES MAGISTRATE JUDGE